

Notice of Allowability	Application No.	Applicant(s)	
	09/576,269	CUMMINGS ET AL.	
	Examiner	Art Unit	
	Clark F. Dexter	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on August 18, 2006.
2. ☒ The allowed claim(s) is/are 1,2,4,25-29,32,36,42,45,47 and 48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|--|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Wayne Grohs on October 2, 2006.

2. The application has been amended as follows:

In the Claims

Claim 1 has been rewritten as follows:

--1. (Currently Amended) A lubricating shaving assembly, comprising:

a grippable body having an upper end, a lower end, and one or more side walls extending between the upper and lower ends, said body including a storage reservoir for holding a shaving preparation, said storage reservoir being substantially enclosed by the upper and lower ends and the one or more side walls of said body;

the upper end of said body having a razor cartridge receiving area and [[for]] having a first razor cartridge and a second razor cartridge, each of the first and second razor cartridges including at least one razor blade, attached to the receiving area such that the at least one razor blade of the two razor cartridges confront one another, the

upper end of said body further including a plurality of openings adjacent to and at least partially surrounding the razor cartridge receiving area, said openings being positioned such that when the first and second razor cartridges are located in said razor cartridge receiving area, said plurality of openings at least partially surround said razor blades defined by said razor cartridges, and wherein said openings are in communication with said storage reservoir; and

a pedestal disposed within said storage reservoir of said body, wherein said pedestal is selectively movable ~~removable~~ between the lower and upper ends of said body for dispensing fluid shaving preparation through said plurality of openings at the upper end of said body;

wherein both of the first and second cartridges are positioned within the cartridge receiving area such that both are pivotable relative to the cartridge receiving area and such that the at least one blade of the first cartridge and the at least one blade of the second cartridge confront one other, whereby ~~capable of shaving in substantially parallel planes,~~ the first cartridge is ~~is~~ [[being]] operable to shave in a first direction, and the second cartridge is ~~is~~ [[being]] operable to shave in a second, generally opposite, direction.--.

Claim 32 has been rewritten as follows:

--32. (Currently Amended) A shaving assembly, comprising:

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a handle having an upper end, a lower end and a substantially enclosed storage reservoir between the upper and lower ends, said storage reservoir for holding a fluid shaving preparation;

the upper end of said handle having a razor cartridge receiving area and ~~[[for]]~~ having a first razor cartridge and a second razor cartridge, each of said first and second razor cartridges including at least one razor blade, attached thereto such that the at least one razor blade of the first razor cartridge confronts the at least one blade of the second razor cartridge, the upper end of said handle further including a plurality of openings adjacent to and at least partially surrounding the razor cartridge receiving area, said openings being positioned such that when the first and second razor cartridges are located in said razor cartridge receiving area, said plurality of openings at least partially surround said razor blades defined by said razor cartridges, and wherein said openings are in communication with said storage reservoir; and

a pedestal disposed within said storage reservoir and movable toward the upper end of said handle for urging the fluid shaving preparation through said plurality of openings;

wherein both of the first and second cartridges are positioned within the cartridge receiving area such that both are pivotable relative to the cartridge receiving area and such that the at least one blade of the first cartridge and the at least one blade of the second cartridge confront one other, whereby ~~capable of shaving in substantially parallel planes,~~ the first cartridge is ~~is~~ ~~[[being]]~~ operable to shave in a first direction, and

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the second cartridge is ~~[[being]]~~ operable to shave in a second, generally opposite, direction.--.

Claim 45 has been rewritten as follows:

--45. (Currently Amended) A lubricating shaving assembly, comprising:

a dispenser having an upper end, a lower end, and side walls extending between the upper and lower ends, said dispenser including a storage reservoir for holding a fluid shaving preparation;

a cap removably secured to the upper end of said dispenser, wherein said storage reservoir is surrounded by the lower end and side walls of said dispenser and by said cap;

an upper end of said cap having a razor cartridge receiving area and ~~[[for]]~~ having a first razor cartridge and a second razor cartridge, each of said razor cartridges including at least one razor blade, the first and second razor cartridges being secured within the receiving area such that the at least one razor blade of the first razor cartridge confronts the at least one razor blade of the second razor cartridge, the upper end of said cap further including a plurality of apertures adjacent to and at least partially surrounding the razor cartridge receiving area, said apertures being positioned such that when the first and second razor cartridges are located in said razor cartridge receiving area, said plurality of apertures at least partially surround said razor blades defined by said razor cartridges, and wherein said apertures are in communication with said storage reservoir; and

a pedestal disposed within said storage reservoir of said dispenser, wherein said pedestal is selectively movable toward said cap for dispensing fluid shaving preparation through said plurality of apertures at the upper end of said cap;

wherein both of the first and second cartridges are positioned within the cartridge receiving area such that both are pivotable relative to the cartridge receiving area and such that the at least one blade of the first cartridge and the at least one blade of the second cartridge confront one other, whereby ~~capable of shaving in substantially parallel planes,~~ the first cartridge is ~~is~~ [[being]] operable to shave in a first direction, and the second cartridge is ~~is~~ [[being]] operable to shave in a second, generally opposite, direction.--.

In the Specification

Page 7, line 21, "4,438,068" has been changed to --4,483,068--.

In the replacement paragraph for the paragraph at page 12, line 12 filed on October 25, 2004:

line 3, "dispenser 30 such" has been changed to the following:

--dispensing portion 30 formed--.

Remarks

3. The above changes have been made to further clarify the claimed invention and to correct informalities.

Additional Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The newly-cited prior art disclose inventions which have features similar to the claimed invention. However, these inventions, each taken alone or in combination with the prior art of record, do not teach or fairly suggest the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cf
October 2, 2006